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April 12, 2005

Via Electronic Filing and U.S. Mail

Marlene H. Dortch, Secretary
FEDERAL COMMUNICATIONS COMMISSION
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

Re: *Fiber Technologies Networks, L.L.C. v. Borough of Blawnox, Pennsylvania*
WC Docket No. 03-37

Dear Secretary Dortch:

This will confirm Fibertech's voicemail message to Commission Staff last week. In that message, we indicated that (despite having prepared an Opposition to the Borough's Motion) Fibertech has reconsidered its position and has decided to withdraw its Motion for Extension of Time.

Furthermore, because of recent developments in this matter **Fibertech is hereby withdrawing its Petition in this matter without prejudice** to Fibertech's right to seek relief from the Commission if the Borough: (1) attempts to enforce provisions from the original Ordinance; or (2) if Blawnox attempts to apply the revised Ordinance or any other legal requirement in a manner which is discriminatory or not competitively neutral, which would prohibit or have the effect of prohibiting Fibertech from providing communications services.

As we understand it, this will conclude this matter. Thank you for your assistance. Please do not hesitate to call me at 585-697-5184 if you have any questions or comments regarding this or any other matter.

Yours very truly,

Robert T. Witthauer
Deputy Corporate Counsel

cc: John F. Cambest, Esquire (Counsel for the Borough)

